

12/05/01



JC685 U.S. PTO

Please type a plus sign (+) inside this box →



12-10-01

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 5077-000078

First Inventor Tomoaki Itoh et al

Title TRANSMISSION RATE CONTROL METHOD

Express Mail Label No. EL835742610US

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**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 24]  
(preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
5. Oath or Declaration [Total Pages 3]
- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☒ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement [ ] Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 [ ] Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☒ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Non Publication under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: \_\_\_\_\_

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

27572

(Insert Customer No. or Attach bar code label here)

|         |                                  |           |              |          |              |
|---------|----------------------------------|-----------|--------------|----------|--------------|
| Name    | Harness, Dickey & Pierce, P.L.C. |           |              |          |              |
|         | Gregory A. Stobbs                |           |              |          |              |
| Address | P.O. Box 828                     |           |              |          |              |
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| Country | United States of America         | Telephone | 248-641-1600 | Fax      | 248-641-0270 |

|                   |                      |                                   |            |
|-------------------|----------------------|-----------------------------------|------------|
| Name (Print/Type) | Christopher M. Brock | Registration No. (Attorney/Agent) | 27,313     |
| Signature         |                      | Date                              | 12/05/2001 |

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision

**Complete if Known**

Application Number

Filing Date

First Named Inventor

Tomoaki Itoh et al.

Examiner Name

Group / Art Unit

**TOTAL AMOUNT OF PAYMENT** (\$) 780

Attorney Docket No. 5077-000078

**METHOD OF PAYMENT (check one)**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

08-0750

Deposit  
Account  
Name

Harness, Dickey &amp; Pierce, P.L.C.

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17
- 
- ☐
- Applicant claims small entity status
- 
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed

- ☒
- Check
- ☐
- Credit card
- ☐
- Money
- 
- Order
- ☐
- Other

**FEE CALCULATION****1. BASIC FILING FEE**

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description        | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 101                  | 740                   | 201                  | 370                   | Utility filing fee     | 740      |
| 106                  | 330                   | 206                  | 165                   | Design filing fee      |          |
| 107                  | 510                   | 207                  | 255                   | Plant filing fee       |          |
| 108                  | 740                   | 208                  | 370                   | Reissue filing fee     |          |
| 114                  | 160                   | 214                  | 80                    | Provisional filing fee |          |

**SUBTOTAL (1)**

(\$ 740)

**2. EXTRA CLAIM FEES**

|                       |   |        | Extra<br>Claims |   | Fee from<br>below |   | Fee<br>Paid |
|-----------------------|---|--------|-----------------|---|-------------------|---|-------------|
| Total Claims          | 7 | -20 ** | = 0             | X |                   | = | 0           |
| Independent<br>Claims | 1 | -3 **  | = 0             | X |                   | = | 0           |
| Multiple<br>Dependent |   |        |                 | X |                   | = | 0           |

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  |
|----------------------|-----------------------|----------------------|-----------------------|--|
| 103                  | 18                    | 203                  | 9                     | Claims in excess of 20                                     |
| 102                  | 84                    | 202                  | 42                    | Independent claims in excess of 3                          |
| 104                  | 280                   | 204                  | 140                   | Multiple dependent claim, if not paid                      |
| 109                  | 84                    | 209                  | 42                    | ** Reissue independent claims over original patent         |
| 110                  | 18                    | 210                  | 9                     | ** Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)**

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

| Fee<br>Code | Large<br>Entity<br>Fee<br>(\$) | Fee<br>Code | Small<br>Entity<br>Fee<br>(\$) | Fee Description  | Fee Paid |
|-------------|--------------------------------|-------------|--------------------------------|--|----------|
| 105         | 130                            | 205         | 65                             | Surcharge - late filing fee or oath  |          |
| 127         | 50                             | 227         | 25                             | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139         | 130                            | 139         | 130                            | Non-English specification  |          |
| 147         | 2,520                          | 147         | 2,520                          | For filing a request for reexamination                                     |          |
| 112         | 920*                           | 112         | 920*                           | Requesting publication of SIR prior to Examiner action                     |          |
| 113         | 1,840*                         | 113         | 1,840*                         | Requesting publication of SIR after Examiner action                        |          |
| 115         | 110                            | 215         | 55                             | Extension for reply within first month                                     |          |
| 116         | 400                            | 216         | 200                            | Extension for reply within second month                                    |          |
| 117         | 920                            | 217         | 460                            | Extension for reply within third month                                     |          |
| 118         | 1,440                          | 218         | 720                            | Extension for reply within fourth month                                    |          |
| 128         | 1,960                          | 228         | 980                            | Extension for reply within fifth month                                     |          |
| 119         | 320                            | 219         | 160                            | Notice of Appeal   |          |
| 120         | 320                            | 220         | 160                            | Filing a brief in support of an appeal                                     |          |
| 121         | 280                            | 221         | 140                            | Request for oral hearing   |          |
| 138         | 1,510                          | 138         | 1,510                          | Petition to institute a public use proceeding                              |          |
| 140         | 110                            | 240         | 55                             | Petition to revive - unavoidable   |          |
| 141         | 1,280                          | 241         | 640                            | Petition to revive - unintentional   |          |
| 142         | 1,280                          | 242         | 640                            | Utility issue fee (or reissue)   |          |
| 143         | 460                            | 243         | 230                            | Design issue fee   |          |
| 144         | 620                            | 244         | 310                            | Plant issue fee  |          |
| 122         | 130                            | 122         | 130                            | Petitions to the Commissioner  |          |
| 123         | 50                             | 123         | 50                             | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 126         | 180                            | 126         | 180                            | Submission of Information Disclosure Stmt                                  |          |
| 581         | 40                             | 581         | 40                             | Recording each patent assignment per property (times number of properties) | 40       |
| 146         | 740                            | 246         | 370                            | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149         | 740                            | 249         | 370                            | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179         | 740                            | 279         | 370                            | Request for Continued Examination (RCE)                                    |          |
| 169         | 900                            | 169         | 900                            | Request for expedited examination of a design application                  |          |


Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 40)

**SUBMITTED BY****Complete (if applicable)**

|                   |   |                                 |        |           |                |
|-------------------|---|---------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Christopher M. Brock  | Registration No. Attorney/Agent | 27,313 | Telephone | (248) 641-1600 |
| Signature         |  |                                 |        | Date      | 12/05/2001     |

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